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*Attorneys for Named Plaintiffs and the FLSA
Collective Plaintiffs*

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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**ISAIAH GERAFINO, LENFORD
JOHNSTON, SARA FAUST, SUKOL
PHAIROJ, CHELSEA LINDMAN,
VIRGINIA WORLEY, ROSALINA
WALTER and THOMAS CAMPBELL on
behalf of themselves and all others similarly
situated,**

INDEX NO: 07-cv-06729 (RJS)

Plaintiffs,

v.

**JEAN-GEORGES ENTERPRISES, LLC;
JEAN-GEORGES MANAGEMENT LLC;
PERRY STREET PROJECT LLC;
TRIOMPHE RESTAURANT CORP. d/b/a
JEAN GEORGES RESTAURANT and
NOUGATINE; ORIGINE LLC d/b/a JOJO
RESTAURANT; SPICE MARKET LLC;
LEONARD STREET LLC d/b/a/ 66
RESTAURANT; JEAN-GEORGES
VONGERICHTEN and JOHN DOES 1-10**

Defendants.

-----x
DECLARATION OF MAIMON KIRSCHENBAUM

I, Maimon Kirschenbaum, under penalty of perjury, affirm as follows:

1. I am an attorney at Joseph & Herzfeld LLP, plaintiffs' counsel in the above-captioned matter.

2. Since the initial filing of this lawsuit, which included 6 named plaintiffs, 27 additional employees have opted in to this lawsuit by filing opt-in forms with the Court.

3. Attached as Exhibit A is a copy of a nightly tip-out sheet reflecting which employees participated in the Jean-Georges tip-pool for a given night in 2003. Based on my discussions with the various declarants, the tip-out sheet accurately reflects the sheets used by Jean-Georges throughout the FLSA period.

I affirm, under penalty of perjury, that the above and foregoing information is true and correct.

Dated: New York, New York
February 19, 2008

/s/ D. Maimon Kirschenbaum
D. Maimon Kirschenbaum

EXHIBIT A

